

Manuel A. Wagan
E-30055, 530-2-35 Low
Post Office Box 9
Avenal, CA 93204

In Pro Per

FILED
08 MAR 12 PM 1:26
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATE DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Manuel A. Wagan

Petitioner,

v.

SAN MATEO COUNTY SUPERIOR COURT

Respondent,

CALIFORNIA ATTORNEY GENERAL

Real Party in Interest.

Case No. 08 1082 WHA (PR)

NOTICE MOTION REQUESTING WITHDRAWAL OF
PETITION FOR WRIT OF MANDATE/PROHIBITION
BECAUSE THE COURT HAS NO JURISDICTION,
WRIT OF MANDATE HAS BEEN ABOLISH IN THE
DISTRICT COURT.

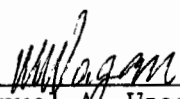
Petitioner filed his Writ of Mandate/Prohibition on February 22, 2008. Petitioner is requesting this honorable Court to allow Petitioner to withdraw his petition because the Court has no jurisdiction because Petition for Writ of Mandate and Prohibition had been abolished in the District Court.

Petitioner is requesting that the Court waive all the filing fees because his petition was defective for failure to file "Application To Proceed In Forma Pauperis."

I declare under penalty of perjury that the foregoing is true and correct.

Date: March 7, 2008

Respectfully submitted,


Manuel A. Wagan, In Pro Per

PROOF OF SERVICE

I, Manuel A. Wagan, declare as follows:

I am over 18 of age, a party hereto, and on the below listed date, I served the within document by inserting same into lawful course of United States Mail at Avenal, CA. from which place there is regular and lawful postal communication with the recipient below designated, postage prepaid, addressed as follows: DOCUMENT

PETITION FOR WRIT OF MANDATE/PROHIBITION
AND DECLATORY RELIEF, AFFIDAVIT AND POINT OF
AUTHORITY IN SUPPORT OF THE PETITION

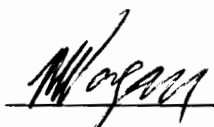
NOTICE TO FILE RETURN Within 30 days after service

PARTY SERVED:

1. DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
455 Golden Gate Ave., San Francisco, CA 94102
2. SAN MATEO SUPERIOR COURT - Respondent
FOR THE COUNTY OF SAN MATEO
MAIN COURTHOUSE
HALL OF JUSTICE 400 COUNTY CENTER
REDWOOD CITY, CA. 94063-1655
RUNDE, JOHN W.....PRESIDING JUDGE, Div/Dept 15 (650) 363-4815.

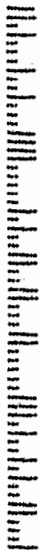
I declare under penalty of perjury that the foregoing is true and correct, have for portion alleged on information and belief, which portions I believe are true.

EXECUTED: Avenal, CA., this 7 day of March 2008.


Manuel A. Wagan, In Pro Per

CONFIDENTIAL

34102+3661



Manuel A. Wagan
E-30055, 530-2-35 Low
Post Office Box 9
Avenal, CA 93204

LEGAL MAIL ROOM
AVENAL STATE PRISON
CONFIDENTIAL
MAR 10 2008
LEGAL MAIL

OFFICE OF THE CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA 94102

BAKERSFIELD CA 933
SODASAVE CO
201 MAIN STREET 4TH FL

